

- 45 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

ROLL CALL:

MR. WOJCIK, MR. MAHONEY, MR. JUDGE, MR. DUNNE, MR. KROGH, MRS. COLLIER, MS. MESSICK, MR. ARMET, MRS. MAHAR DERGURAHIAN

PUBLIC FORUM: LIST OF SPEAKERS ON FILE IN THE CLERK'S OFFICE

LOCAL LAW NO. 3 (INTRO #3)

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER JUDGE

LOCAL LAW NO. 1 (INTRO 3#) FOR 2004 IN RELATION TO ESTABLISHING A MORATORIUM REGARDING THE CONSTRUCTION OF ADVERTISING SIGNS, OFF-PREMISE SIGNS AND BILLBOARDS

BE IT ENACTED, by the City Council of the City of Troy as follows:

Section 1. Section 143-34 of the Code of the City of Troy is amended by adding a new subdivision E to read as follows:

- E. Notwithstanding any other provision of this code to the contrary, no advertising sign, off-premises sign or billboard, as defined in section 285-93 of this code, shall be newly constructed on or after the effective date of this local law.

Section 2. Subdivision E of section 285-109 of such code is amended by adding a new paragraph (8) to read as follows:

- (8) No advertising sign, off-premises sign or billboard, as defined in section 285-93 of this code, shall be newly constructed on or after the effective date of this local law.

Section 3. This local law shall take effect immediately.

Approved as to form, March 11, 2004

John P. Hicks, Corporation Counsel

LOCAL LAW NO. 3 (INTRO 3) PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 1

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER KROGH

ORDINANCE AMENDING THE 1994, 1995, 1996, 2000, AND 2001 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGETS TO TRANSFER THE RESIDUAL BALANCES TO THE CDBG 2002-2005 VACANT BUILDING/DEMO ACCOUNT TO SUPPORT A CITY ACTION TEAM CLEAN UP PROJECT

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy Community Development Block Grant Budget is herein amended as set forth in Schedule A #1 and Schedule A #2 entitled:

“Action Team Vacant Building/DEMO” and “Action Team Project”

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 9, 2004

- 46 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 1 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE A1 & A2 ATTACHED TO MINUTES - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 2

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER COLLIER

**ORDINANCE AMENDING THE 2004 CITY BUDGET TO TRANSFER THE POSITION OF
MECHANICAL/ELECTRICAL SYSTEMS COORDINATOR FROM THE ENGINEERING BUREAU
TO THE FACILITIES MAINTENANCE BUREAU**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy 2004 budget is herein amended as set forth in schedule A entitled:
2004 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 9, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 2 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE “A” ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 3

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBE MESSICK

**ORDINANCE AMENDING THE 2004 CITY BUDGET TO ELIMINATE A SIGN MAINTENANCE MAN
IN THE TRAFFIC BUREAU AND CREATE A LABORER POSITION IN THE SANITATION BUREAU**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy budget is herein amended as set forth in Schedule A entitled:
2004 Budget Amendment – Personnel Change

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 9, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 3 PASSED - UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE “A” ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 4

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER JUDGE

**ORDINANCE TO ESTABLISH A SPECIAL REVENUE ACCOUNT TITLED 2004 TROY
REDEVELOPMENT FOUNDATION TECHNOLOGY INITIATIVE**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy establishes a special revenue account as set forth in Schedule A entitled:
“2004 Troy Redevelopment Foundation – Technology Initiative”

which is attached hereto and made a part hereof

- 47 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

Section 2. This act will take effect immediately.

Approved as to form, April 9, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 4 PASSED - UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE “A” ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 5

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER JUDGE

**ORDINANCE AMENDING THE 2004 CITY BUDGET TO ACCEPT INSURANCE FUNDS AND TO
AUTHORIZE EXPENDITURE FOR REPAIR TO CITY OWNED LIGHT FIXTURE**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy DPW – Streets Bureau Budget is hereby amended by the acceptance of insurance funds paid to the City for transferring funds from insurance as provided in Schedule “A” entitled

2004 Budget Amendment

which is attached hereto and made a part hereof

Section 2. This act will take effect immediately.

Approved as to form, April 9, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 5 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE “A” ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 6

INTRODUCED BY: COUNCIL MEMBER ARMET

SECONDED BY: COUNCIL MEMBER KROGH

**ORDINANCE AMENDING THE 2004 CITY BUDGET TO TRANSFER FUNDS WITHIN 2004 BUDGET
TO SUPPORT THE PURCHASE OF UNIFORM SUPPLIES FOR THE OPERATION OF THE FIRE
BUREAU**

The City of Troy, convened in City Council, ordains as follows:

Section 1. The 2004 City Budget is hereby amended to transfer funds within the 2004 Fire Department Operating Budget as provided in Schedule “A” entitled:

“Fire Department Budget Transfer”

which is attached hereto and made a part hereof.

Section 2. This act shall take effect immediately.

Approved as to form, April 7, 2004

John Hicks, Corporation Counsel

ORDINANCE NO. 6 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE “A” ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NOS. 7 AND 8 – WITHDRAWN

- 48 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

ORDINANCE NO. 9A

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

MOTION TO AMEND BY: COUNCIL MEMBER COLLIER

SECONDED BY: COUNCIL MEMBER KROGH

Amendment Passes – Unanimous

**AMENDED ORDINANCE AUTHORIZING AND APPROVING THE SALE OF CERTAIN REAL
PROPERTY IN THE CITY OF TROY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. The hereinafter described city-owned property acquired through foreclosure of tax liens is not needed for public purpose.

Section 2. The Public Auction of the hereinafter described city-owned property, held on the **12th day of February, 2004**, at Chambers of the City Council, City Hall and conducted by Collar City Auctions & Realty, Inc., is hereby ratified.

Section 3. The highest bid received at said public auction in the amount of **500.00**, is hereby approved and accepted.

Section 4. The Mayor is hereby empowered to execute and deliver to said bidder or bidders a **conditional sales contract** for said premises hereinafter described.

**PURCHASER: Moses Sukljian
445 Loudon Rd.
Loudonville, NY 12211**

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance, the purchaser shall pay the purchase price, plus advertising cost and payment in lieu of City and School taxes prorated for the time prior to the first tax bill to the purchaser from the day of the contract of sale, to wit, City taxes through **December 31, 2004** and School taxes through **June 30, 2004**.
- B. Upon Payment the purchaser shall execute with the Mayor a conditional sales contract setting forth the conditions of the sale outlined in the terms of the sale.
- C. Upon the **1st day of January, 2005** taxes and other assessments shall become due and payable by the purchaser except all water and sewer rents which shall be charged from the date of this conveyance.
- D. This conveyance is made subject to the condition that it must be **cleaned and maintained** so as not to be a nuisance or detriment to its neighborhood within six (6) months after the date of the conditional sales contract. If the purchaser, his successor or assigns shall fail to comply with this condition, the City of Troy has a right to maintain summary proceedings to evict the purchaser, his successor or assigns from the premises without refund of any previous payment.
- E. A deed shall be executed and delivered to the purchaser:
 - 1. Upon the issuance of a certificate of compliance showing completion of the conditions set forth in the terms of the sale; OR
 - 2. If fee title is a necessary requisite for the purchaser to obtain a building loan mortgage or rehabilitation mortgage, the proceeds of which will be used by the purchaser in satisfying the conditions in paragraph C above. Such deed will be delivered only upon the receipt by the City of a contract executed by the purchaser guaranteeing performance of the terms of the sale.

Section 5. The said property is described as follows:

Ward/Plate: **0505300**

Tax Map #: **112.75-2-9**

Section 6: The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 7. This ordinance shall take effect immediately.

- 49 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

Approved as to form, March 11, 2004

John P. Hicks, Corporation Counsel

ORDINANCE NO. 9A PASSED - UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE “A” ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 9B

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER JUDGE

**AMENDED ORDINANCE AUTHORIZING AND APPROVING THE SALE OF CERTAIN REAL
PROPERTY IN THE CITY OF TROY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. the hereinafter described city-owned property acquired through foreclosure of tax liens is not needed for public purpose.

Section 2. the Public Auction of the hereinafter described city-owned property, held on the **12th day of February, 2004**, at Chambers of the City Council, City Hall and conducted by Collar City Auctions & Realty, Inc., is hereby ratified.

Section 3. The highest bid received at said public auction in the amount of **500.00**, is hereby approved and accepted.

Section 4. The Mayor is hereby empowered to execute and deliver to said bidder or bidders a conditional sales contract for said premises hereinafter described.

PURCHASER: **Charles Vasconcellos**
43 Eddy's Lane
Troy, NY 12180

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance, the purchaser shall pay the purchase price, plus advertising cost and payment in lieu of City and School taxes prorated for the time prior to the first tax bill to the purchaser from the day of the contract of sale, to wit, City taxes through **December 31, 2004** and School taxes through **June 30, 2004**.
- B. Upon payment the purchaser shall execute with the Mayor a conditional sales contract setting forth the conditions of the sale outlined in the terms of the sale.
- C. Upon the **1st day of January, 2005** taxes and other assessments shall become due and payable by the purchaser except all water and sewer rents which shall be charged from the date of this conveyance.
- D. This conveyance is made subject to the condition that it must be **cleaned and maintained** so as not to be a nuisance or detriment to its neighborhood within six (6) months after the date of the conditional sales contract. If the purchaser, his successor or assigns shall fail to comply with this condition, the City of Troy has a right to maintain summary proceedings to evict the purchaser, his successor or assigns from the premises without refund of any previous payment.
- E. A deed shall be executed and delivered to the purchaser:
 - 1. Upon the issuance of a certificate of compliance showing completion of the conditions set forth in the terms of the sale; OR
 - 2. If fee title is a necessary requisite for the purchaser to obtain a building loan mortgage or rehabilitation mortgage, the proceeds of which will be used by the purchaser in satisfying the conditions in paragraph C above. Such deed will be delivered only upon the receipt by the City of a contract executed by the purchaser guaranteeing performance of the terms of sale.

Section 5. The said property is described as follows:

Ward/Plate: **0600350**

Tax Map #: **111.68-3-9**

- 50 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

Section 6. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 7. This ordinance shall take effect immediately.

Approved as to form, March 11, 2004

John P. Hicks, Corporation Counsel

**ORDINANCE NO. 9B FAILED – UNANIMOUS
LEGISLATION DEFEATED**

ORDINANCE NO. 9C

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER COLLIER

**AMENDED ORDINANCE AUTHORIZING AND APPROVING THE SALE OF CERTAIN REAL
PROPERTY IN THE CITY OF TROY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. The hereinafter described city-owned property acquired through foreclosure of tax liens is not needed for public purpose.

Section 2. The Public Auction of the hereinafter described city-owned property, held on the **12th day of February, 2004**, at Chambers of the City Council, City Hall and conducted by Collar City Auctions & Realty, Inc., is hereby ratified.

Section 3. The highest bid received at said public auction in the amount of, is hereby approved and accepted.

Section 4. The Mayor is hereby empowered to execute and deliver to said bidder or bidders a **deed** for said premises hereinafter described.

PURCHASER: **Neil Castro**
 11 Summerfield Lane
 Saratoga Springs, NY 12866

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance, the purchaser shall pay the purchase price and payment in lieu of City taxes through **December 31, 2004** and School taxes through **June 30, 2004**.
- B. Upon the **1st day of January, 2005**, taxes and other assessments shall become due and payable by the purchaser except all water and sewer rents which shall be charged from the date of this conveyance.
- C. This conveyance is made subject to the condition that the **structure be repaired** in conformance with the building, housing and fire prevention codes within six (6) months after the date of the deed. If the purchaser, his successor, or assigns shall fail to comply with this condition the City of Troy has a right to re-enter the property without refunding the purchase price.

Section 5. The said real property is described as follows:

Ward/Plate: **1001200** Tax Map#: **101.22-10-9**

Section 6. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 7. This ordinance shall take effect immediately.

Approved as to form, March 10, 2004

John P. Hicks, Corporation Counsel

- 51 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

ORDINANCE NO. 9C PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE “A” ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

ORDINANCE NO. 9D

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER KROGH

**AMENDED ORDINANCE AUTHORIZING AND APPROVING THE SALE OF CERTAIN REAL
PROPERTY IN THE CITY OF TROY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. The hereinafter described city-owned property acquired through foreclosure of tax liens is not needed for public purpose.

Section 2. The Public Auction of the hereinafter described city-owned property, held on the **12th day of February, 2004**, at Chambers of the City Council, City hall and conducted by Collar City Auctions & Realty, Inc., is hereby ratified.

Section 3. The highest bid received at said public auction in the amount of **7,000.00**, is hereby approved and accepted.

Section 4. The Mayor is hereby empowered to execute and deliver to said bidder or bidders a **deed** for said premises hereinafter described.

PURCHASER: **Charles Vasconcellos**
 43 Eddy's Lane
 Troy, NY 12180

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance, the purchaser shall pay the purchase price and payment in lieu of City taxes through **December 31, 2004** and School taxes through **June 30, 2004**.
- B. Upon the **1st day of January, 2005**, taxes and other assessments shall become due and payable by the purchaser except all water and sewer rents which shall be charged from the date of this conveyance.
- C. This conveyance is made subject to the condition that the **structure be repaired** in conformance with the building, housing and fire prevention codes within six (6) months after the date of the deed. If the purchaser, his successor, or assigns shall fail to comply with this condition the City of Troy has a right to re-enter the property without refunding the purchase price.

Section 5. The said real property is described as follows:

Ward/Plate: **1003970**

Tax Map #

101.23-6-25

Section 6. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 7. This ordinance shall take effect immediately.

Approved as to form, March 10, 2004

John P. Hicks, Corporation Counsel

**ORDINANCE NO. 9D FAILED – UNANIMOUS
LEGISLATION DEFEATED**

ORDINANCE NO. 9E

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

**REGULAR MEETING
CITY COUNCIL
MAY 6, 2004**

SECONDED BY: COUNCIL MEMBER MESSICK

**AMENDED ORDINANCE AUTHORIZING AND APPROVING THE SALE OF CERTAIN REAL
PROPERTY IN THE CITY OF TROY**

The City of Troy, in City Council convened, ordains as follows:

Section 1. The hereinafter described city-owned property acquired through foreclosure of tax liens is not needed for public purpose.

Section 2. The Public Auction of the hereinafter described city-owned property; held on the **12th day of February, 2004**, at Chambers of the City Council, City Hall and conducted by Collar City Auctions & Realty, Inc., is hereby ratified.

Section 3. The highest bid received at said public auction in the amount of **1,500.00**, is hereby approved and accepted.

Section 4. The Mayor is hereby empowered to execute and deliver to said bidder or bidders a **deed** for said premises hereinafter described.

PURCHASER: **Charles Vasconcellos
43 Eddy's Lane
Troy, NY 12180**

TERMS AND CONDITIONS:

- A. Within thirty (30) days of the effective date of this ordinance, the purchaser shall pay the purchase price and payment in lieu of City taxes through **December 31, 2004** and School taxes through **June 30, 2004**.
- B. Upon the **1st day of January, 2005**, taxes and other assessments shall become due and payable by the purchaser except all water and sewer rents which shall be charged from the date of this conveyance.
- C. This conveyance is made subject to the condition that the **structure be repaired** in conformance with the building, housing and fire prevention codes within six (6) months after the date of the deed. If the purchaser, his successor, or assigns shall fail to comply with this condition the City of Troy has a right to re-enter the property without refunding the purchase price.

Section 5. The said real property is described as follows:

Ward/Plate: **1301270** Tax Map # **90.54-2-30**

Section 6. The City Treasurer is hereby authorized to cancel any and all taxes and tax sale certificates now in existence except water and sewer rents which have not become liens and the City Treasurer is authorized to make appropriate notations upon the books and records of the City of Troy.

Section 7. This ordinance shall take effect immediately.

Approved as to form, March 10, 2004

John P. Hicks, Corporation Counsel

**ORDINANCE NO. 9E FAILED – UNANIMOUS
LEGISLATION DEFEATED**

ORDINANCE NO. 10

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

MOTION TO AMEND: COUNCIL MEMBER JUDGE

SECONDED BY: COUNCIL MEMBER DUNNE

Amendment Passes - Unanimous

**AMENDED ORDINANCE AUTHORIZING AND APPROVING THE FINAL SPENDING PLAN FOR
THE CITY OF TROY'S CONSOLIDATED PLAN GRANT FUNDING FOR 2004-2005 PROGRAM
YEAR THAT BEGINS ON JULY 1, 2004 INCLUDNG COMMUNITY DEVELOPMENT BLOCK**

**REGULAR MEETING
CITY COUNCIL
MAY 6, 2004**

**GRANT (2,494,000), EMERGENCY SHELTER GRANT FUNDING (492,765) AND HOME PROGRAM
FUNDING (\$676,800)**

The City of Troy, in City Council, convened, ordains as follows:

Section 1. The City of Troy's consolidated plan grant funding for 2004-2005 program year is set forth in the notice of proposed project funding which is attached hereto and made a part hereof.

Section 2. This act will take effect immediately.

Approved as to form, April 20, 2004

John P. Hicks, Corporation Counsel

ORDINANCE NO. 10 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE "A" ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 1

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

MOTION TO AMEND BY: COUNCIL MEMBER COLLIER

SECONDED BY: COUNCIL MEMBER DUNNE

**RESOLUTION APPROVING SETTLEMENT OF PROCEEDINGS CHALLENGING ASSESSMENT ON
REAL PROPERTY OWNED BY THE CITY OF TROY IN THE TOWN OF PITTSBURY, NEW YORK**

WHEREAS, two (2) proceedings have been commenced by the City of Troy ("Petitioner") in the Supreme Court of the State of New York, County of Rensselaer against the Town of Pittsboro, its Assessor and its board of Assessment Review ("Town"), to contest the assessment on certain lands and buildings within the Town owned by Petitioner and identified as tax parcels 42-2-3, 42-3-1, 53-1-13 and 53-1-14 (Index Nos.: 205691 and 208884); and

WHEREAS, Brittonkill Central School District and Hoosick Valley Central School District ("Intervenors") have intervened in both proceedings; and

WHEREAS, the settlement agreement has been reached among the Town, the City and the Intervenors, which has been found to be acceptable by all parties; and

WHEREAS, the settlement agreement has been reduced to writing in the Stipulation of Settlement and Order attached to this resolution on Exhibit A; and

WHEREAS, the Settlement in the form of the Stipulation of Settlement and Order attached to this resolution as Exhibit A is deemed by the City to be reasonable, just and in the best interest of the City,

NOW, THEREFORE, BE IT RESOLVED, that the Stipulation of Settlement and Order attached to this resolution as Exhibit "A", resolving the pending proceedings and the assessments on the properties which were the subject of the pending proceedings through 2007-2008, is acceptable to the City, subject to its approval of the Supreme Court, Rensselaer County (the "Court"), wherein the proceedings are presently pending, and be it

FURTHER RESOLVED, that the City hereby authorizes H. Dean Heberlig, Jr., Esq. of Bond, Schoeneck & King, PLLC, Special Counsel to the City to execute the Stipulation of Settlement and Order on the City's behalf, and be it

FURTHER RESOLVED, that John P. Hicks, Corporation Counsel of the City of Troy, is hereby authorized to execute an affidavit pursuant to Town Law § 68, together with any other papers required by the Court for approval of this settlement, and be it further authorized to request that the Court execute the Stipulation of Settlement and Order attached to this resolution as Exhibit A.

Approved as to form, April 16, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 1 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/14/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

- 54 -
**REGULAR MEETING
CITY COUNCIL
MAY 6, 2004**

RESOLUTION NO. 2

INTRODUCED BY: COUNCIL MEMBER WOJCIK

SECONDED BY: COUNCIL MEMBER COLLIER

RESOLUTION APPOINTING COMMISSIONERS OF DEEDS

BE IT RESOLVED, that the City Council hereby appoints the following persons Commissioners of Deeds for the City of Troy for a two year term commencing May 6, 2004 through May 5, 2006:

Robin Simmons	512 Sixth Avenue
Rev. David Jones	321 Fifth Avenue
Thomas Casey	82 Fonda Avenue
Dallas Schmiedeshoff	1518 Peoples Avenue
Raymond Quinn	27 Locust Avenue
Arthur Judge	13 Centerview Drive
Anthony Burke	27 Seventh Avenue
Jason Scofield	22 North Lake Avenue
Carol A. Collier	97 Stow Avenue
Kathy Tremblay	14 Cottage Street
Emily Kennedy	40 Gillette Avenue
Carolyn M. Collier	124 Gillette Avenue
Frank W. Lamiano	47 Belle Avenue
Michael Picarillo	466 – 6 th Avenue
Marion Drozd	356 – 6 th Avenue
Chuck Drozd	356 – 6 th Avenue
Patrick A. Russo	52 DeFreest Avenue
Maryjoan Smith	31 Peterson Court
Janice M. Changa	652 4 th Street
Marcelle M. Conner	290 2 nd Avenue
James C. Suriano, Jr.	31 Springs Avenue
Aloma R. Fitzpatrick	1022 6 th Avenue
Karen Messick	91 Second Street
Marjorie Mahar DerGurahian	453 Seventh Avenue
Jeff Buell	201 River Street, Apt. 18
Elizabeth Simonik	434 Taylor Court
Michele DeLair	156 Jacob Street
Thomas Wade	245 Fifth Avenue
Robert N. Gregor	282 4 th Street
Marion McDonough	932 3 rd Avenue
John Pattison	174 Fourth Street
Laurence Beaudoin	27 Heyden Road
Terry Wasielewski	46 Ferry Street
Kelly Moscatiello	827 Seventh Avenue
Diane Richardson	846 Seventh Avenue
Kyle Wojcik	17 Jesse Court
Vito Ciccarelli	894 Ninth Avenue
Tom Casey	243 Congress Street
James W. Cramer	86 Thompson Street

Approved as to form, May 6, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 10 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SEE SUPPORT DOCUMENTATION WITH LEGISLATION

- 55 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

RESOLUTION NO. 3

INTRODUCED BY: COUNCIL MEMBER COLLIER

MOTION TO AMEND BY: COUNCIL MEMBER JUDGE

SECONDED BY: COUNCIL MEMBER DUNNE

Amendment Passes - Unanimous

**AMENDED RESOLUTION AUTHORIZING THE FILING OF THE CITY OF TROY'S APPLICATION
FOR FUNDS PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974,
THE MCKINNEY ACT EMERGENCY SHELTER GRANT PROGRAM, AND THE HOME
INVESTMENT PARTNERSHIP PROGRAM AND DESIGNATING THE MAYOR AS THE
AUTHORIZED REPRESENTATIVE OF THE CITY OF TROY FOR SUCH PURPOSES**

BE IT RESOLVED that the Mayor, on behalf of the City of Troy, be and hereby is designated as the authorized representative of the City of Troy to act in connection with the filing of an application for funds pursuant to the United States Housing and Community Development Act of 1974, the McKinney Act Emergency Shelter Grant Program, and the Home Investment Partnership Program; and

BE IT FURTHER RESOLVED that the Mayor, on behalf of the City of Troy, is authorized to execute all contracts, documents and other instruments in furtherance of implementing all projects associated with and described in such application and to use said funds pursuant to such application as described in the attached Schedule "A" entitled "Community Development Block Grant" and undertake such other actions and provide such additional information as may be required in furtherance thereof.

Approved as to form, April 16, 2004

John P. Hicks, Corporation Counsel

RESOLUTION NO. 3 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04

SCHEDULE "A" ATTACHED TO LEGISLATION - SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 4

INTRODUCED BY: COUNCIL MEMBER ARMET

SECONDED BY: COUNCIL MEMBER JUDGE

RESOLUTION IN SUPPORT OF JUDGE HENRY BAUER

WHEREAS, Judge Henry Bauer was duly elected by the voters of Troy in 1994, and

WHEREAS, Troy City Court Judge Bauer has served the City for ten (10) years in a distinguished manner, and

WHEREAS, Judge Bauer has worked diligently to make Troy's Streets safer, and

WHEREAS, Judge Bauer has been a fair, tough, reasonable and compassionate Judge, and

WHEREAS, District Administrative Judge, Thomas Keegan testified to the Judicial Commission Hearing Officer that he has not received any complaints against Judge Bauer in his seven year tenure, and

WHEREAS, working in close cooperation with the Rensselaer County Legislature and Executive Branches as well as Troy City Government, Judge Bauer established the first Drug Court and Domestic Violence Courts in the Capital Region, and

WHEREAS, Judge Bauer's direct supervisor, County Court Judge Patrick McGrath also testified as to his outstanding character, and

WHEREAS, the Legislative and Executive Branches of Troy's City Government have worked closely, effectively and efficiently with Judge Bauer, and

WHEREAS, Judge Bauer was instrumental in the rehabilitation of Troy's outdated Police Court, and

WHEREAS, Troy's refurbished Police Court now serves all effected parties in a more efficient manner, and

- 56 -
REGULAR MEETING
CITY COUNCIL
MAY 6, 2004

WHEREAS, the Troy City Council has never received one complaint against Judge Bauer over the last ten (10) years, and

WHEREAS, many police officers and numerous neighborhood constituencies have expressed their support for Judge Bauer.

NOW THEREFORE BE IT DULY RESOLVED, that the Troy City Council implores the New York State Court of Appeals to reverse the Commission on Judicial Conduct and keep Judge Bauer as Troy's City Judge.

BE IT FURTHER RESOLVED, that the Court of Appeals gives great deference to Judge Bauer's outstanding and unblemished ten-year record on the bench.

AND BE IT FURTHER RESOLVED, that the People of Troy be allowed to determine this November whether they want Judge Bauer to continue serving over the next 10 years rather than a non-elected Commission, none of whose members reside in the City of Troy.

The Troy City Clerk is hereby authorized and directed to forward a certified copy of said Resolution to the New York State Court of Appeals.

Approved to form, April 23, 2004
John P. Hick, Corporation Counsel

RESOLUTION NO. 4 PASSED – AYES: 8 NOES: 1 (Dunne)

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04
SEE SUPPORT DOCUMENTATION WITH LEGISLATION

RESOLUTION NO. 5

INTRODUCED BY: COUNCIL PRESIDENT DERGURAHIAN

SECONDED BY: COUNCIL MEMBER KROGH

**RESOLUTION CONFIRMING THE APPOINTMENT OF HEATHER HAMLIN TO THE NEW YORK
STATE COMPTROLLER'S FINANCIAL ADVISORY BOARD TO THE CITY OF TROY**

WHEREAS, The New York State Comptroller's Office has a Financial Advisory Board which works with the City of Troy to help manage and oversee the financial matters of the city, and

WHEREAS, both the Mayor and the City Council have one appointment to that board, and

WHEREAS, Ms. Hamlin has a Bachelor of Science Degree in Accounting and a Masters Degree in Business Administration, and

WHEREAS, Heather Hamlin of 164 First Street, Troy, New York has over 10 years of experience in Financial Analysis and Business Management, and

WHEREAS, the City Council believes that she is highly qualified to be a voting member of the New York State Comptroller's Financial Advisory Board to the City of Troy

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby appoint Ms. Heather Hamlin as its appointment to the New York State Comptroller's Financial Advisory Board to the City of Troy.

Approved as to form
John Hicks, Corporation Counsel

RESOLUTION NO. 5 PASSED – UNANIMOUS

To Mayor, 5/12/04 for Executive Action – Approved, Returned 05/13/04
SEE SUPPORT DOCUMENTATION WITH LEGISLATION